

06-28-01

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PTO/SB/05 (11-00)

Please type a plus sign (+) inside this box → ⊕

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 728-211(YOR9-2001-0314 US1)
 First Inventor Dimitri Kanevsky
 Title Volume Regulating and Monitoring System
 Express Mail Label No. EL 918828715 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 13]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 3]
5. ☐ Oath or Declaration [Total Pages]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
 Box Patent Application
 Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Power of Attorney (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 [Copies of IDS Citations]
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Associate Power of Attorney

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No.: _____ / _____

Prior application information:

Examiner: _____

Group Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

Name Paul J. Farrell, Esq.
 DILWORTH & BARRESE, LLP
 Address 333 Earle Ovington Blvd.
 City Uniondale State New York Zip Code 11553
 Country U.S.A Telephone (516) 228-8484 Fax (516) 228-8516

Name (Print/Type) PAUL J. FARRELL Registration No. (Attorney/Agent) 33,494
 Signature [Signature] Date June 27, 2001

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on date below in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL 918828715US addressed to: Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Dated: June 27, 2001

Douglas M. Owens

09/892804

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jc975 U.S. PTO

06/27/01

06/27/01

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL
for FY 2001**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 898.00**Complete if Known**

| | |
|----------------------|------------------------------|
| Application Number | Not yet assigned |
| Filing Date | June 27, 2001 |
| First Named Inventor | Dimitri Kanevsky |
| Examiner Name | |
| Group Art Unit | Not yet assigned |
| Attorney Docket No. | 728-211 (YOR9-2001-0314 US1) |

METHOD OF PAYMENT (check one)

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **50-0510/IBM (Yorktown Heights)**Deposit Account Name **IBM (Yorktown Heights)**

- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity | Small Entity | Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|--------------|--------------|---------------|---------------|------------------------|----------|
| 101 | 710 | 201 | 355 | Utility filing fee | \$710.00 |
| 106 | 320 | 206 | 160 | Design filing fee | |
| 107 | 490 | 207 | 245 | Plant filing fee | |
| 108 | 710 | 208 | 355 | Reissue filing fee | |
| 114 | 150 | 214 | 75 | Provisional filing fee | |

SUBTOTAL (1) (\$) 710.00**2. EXTRA CLAIM FEES**

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 26 | -20** = 6 | 18 | \$108 |
| 4 | -3** = 1 | 80 | \$80 |
| Multiple Dependent | | | 270 = 0 |

**or number previously paid, if greater; For Reissues, see below

| Large Entity | Small Entity | Fee Code (\$) | Fee Code (\$) | Fee Description |
|--------------|--------------|---------------|---------------|--|
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 80 | 202 | 40 | Independent claims in excess of 3 |
| 104 | 270 | 204 | 135 | Multiple dependent claim, if not paid |
| 109 | 80 | 209 | 40 | ** Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | ** Reissue claims in excess of 20 and over original patent |


SUBTOTAL (2) (\$) 188.00**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| Large Entity | Small Entity | Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|--------------|--------------|---------------|---------------|--|----------|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 390 | 216 | 195 | Extension for reply within second month | |
| 117 | 890 | 217 | 445 | Extension for reply within third month | |
| 118 | 1,390 | 218 | 695 | Extension for reply within fourth month | |
| 128 | 1,890 | 228 | 945 | Extension for reply within fifth month | |
| 119 | 310 | 219 | 155 | Notice of Appeal | |
| 120 | 310 | 220 | 155 | Filing a brief in support of an appeal | |
| 121 | 270 | 221 | 135 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,240 | 241 | 620 | Petition to revive - unintentional | |
| 142 | 1,240 | 242 | 620 | Utility issue fee (or reissue) | |
| 143 | 440 | 243 | 220 | Design issue fee | |
| 144 | 600 | 244 | 300 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 126 | 240 | 126 | 240 | Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 710 | 246 | 355 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 710 | 249 | 355 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 710 | 279 | 355 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0.00**SUBMITTED BY**

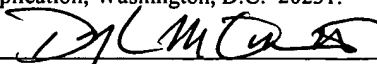
| | | | | | |
|-------------------|---|-----------------------------------|---------------|-----------|----------------|
| Name (Print/Type) | Paul J. Farrell | Registration No. (Attorney/Agent) | 33,494 | Telephone | (516) 228-8484 |
| Signature |  | Date | June 27, 2001 | | |

Complete (if applicable)

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on date below in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL918828715US addressed to: Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Dated: June 27, 2001


Douglas M. Owens

Washington, D.C. 20231
Sir:Date: June 27, 2001
Express Mail Label: EL 918828715 US
Date of Deposit: June 27, 2001

Transmitted herewith for filing is the Patent Application of:

Inventors: **DIMITRI KANEVSKY, WLODEK W. ZADROZNY and SARA H. BASSON**For: **VOLUME REGULATING AND MONITORING SYSTEM**Enclosed are: ☒ 7 sheets of specification; ☒ 1 sheet(s) of Abstract;
☒ 5 sheet(s) of claims; ☒ 3 sheet(s) of drawing(s);

- ☐ An assignment of the invention to International Business Machines Corporation with Recordation Form.
- ☐ Declaration and Power of Attorney.
- ☐ A certified copy of a _____ application, from which priority under Title 35 USC §119 is claimed.
- ☒ Associate Power of Attorney.

The filing fee has been calculated as shown below:

| (Col. 1) | | (Col. 2) | OTHER THAN A SMALL ENTITY | |
|--|-----------|-----------|------------------------------|-----------|
| FOR: | NO. FILED | NO. EXTRA | RATE | FEE |
| BASIC FEE | | | | \$ 710.00 |
| TOTAL CLAIMS | 26 -20 = | 6 | X \$18 = | 108.00 |
| INDEP CLAIMS | 4 -3 = | 1 | X \$80 = | 80.00 |
| MULTIPLE DEPENDENT CLAIMS PRESENTED | | | + 270 = | |
| | | | TOTAL | \$ 898.00 |

If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

- ☐ A check in the amount of \$ _____ to cover the ☐ filing fee(s) and a check to cover the ☐ recording fee are enclosed.
- ☒ Please charge my Deposit Account No. 50-0510 in the amount of \$ 898.00.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0510/IBM (Yorktown Heights). A duplicate copy of this sheet is enclosed.
- ☒ Any additional filing fees required under 37 CFR 1.16.
- ☒ Any patent application processing fees under 35 CFR 1.17.

Respectfully submitted,

By: Paul J. Farrell
Registration No. 33,494**Please address all
correspondence to:**DILWORTH & BARRESE, LLP
333 Earle Ovington Boulevard
Uniondale, NY 11553
Tel: (516) 228-8484
Fax: (516) 228-8516Attorney for:
IBM Corporation
Intellectual Property Law Dept.
P.O. Box 218
Yorktown Heights, NY 10598**CERTIFICATION UNDER 37 C.F.R. § 1.10**

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date June 27, 2001 in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EL 918828715 US addressed to: BOX PATENT APPLICATION, Assistant Commissioner for Patents, Box PATENT APPLICATION, Washington, D.C. 20231.


Douglas M. Owens

PATENT

Atty. Docket No. 728-211 (YOR9-2001-0314 US1)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

UTILITY APPLICATION DATA SHEET UNDER 37 C.F.R. § 1.76

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s): DIMITRI KANEVSKY, WLODEK W. ZADROZNY and
SARA H. BASSON

For: VOLUME REGULATING AND MONITORING SYSTEM

Enclosed are:

- [X] 13 page(s) of specification
(including **claims** and **abstract**)
- [X] 3 sheets of drawings [] formal [X] informal
- [X] _____ page(s) of Declaration and Power of Attorney
- [X] _____ page(s) An Assignment of the invention
(including **Recordation Form Cover Sheet**)
- [X] 1 page(s) Associate Power of Attorney

Assignee Name: INTERNATIONAL BUSINESS MACHINES CORPORATION

Assignee Residence: Armonk, New York

CERTIFICATION UNDER 37 C.F.R. § 1.10

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Douglas M. Owens

(Type or print name of person mailing paper)


(Signature of person mailing paper)

[] This application claims the benefit under 35 U.S.C. §119(e) of U.S. Provisional Application(s) No(s):

APPLICATION NO(S):

FILING DATE

____/____

____/____

[] Certified copy of applications

Country

Appln. No.

Filed

from which priority under Title 35 United States Code, § 119 is claimed

[] is enclosed.

[] will follow.

[X] Address all future correspondence to:

Paul J. Farrell, Esq.
DILWORTH & BARRESE LLP
333 Earle Ovington Boulevard
Uniondale, New York 11553
(516) 228-8484

Date: June 27, 2001



SIGNATURE OF ATTORNEY

Paul J. Farrell

Reg. No. 33,494

DILWORTH & BARRESE LLP
333 Earle Ovington Blvd.
Uniondale, NY 11553
Tel. No. (516) 228-8484
Fax (516) 228-8516